

EXHIBIT 1



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March 11, 2020

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Re: Targeted Document Requests to DMAPS and its Agencies in:

City of Huntington v. AmerisourceBergen Drug Corp., et al.
US Southern District Court; Civil Action No. 3:17-01362

Cabell County Commission v. AmerisourceBergen Drug Corp., et al.
US Southern District Court; Civil Action No. 3:17-01665

Dear Mr. Hoyer, Mr. Thornton, Mr. Valentino, Mr. Douglas, and Ms. Marino:

Thank you for making time to confer with us on March 4 regarding our subpoenas to your agencies. It was a productive conversation.

This letter seeks to move forward our discussions of subpoena compliance by focusing on your agencies' documents necessary for this litigation that are readily available for production. Time is of the essence: on March 5, Judge Faber set a demanding case schedule,



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with document discovery closing on April 30, fact depositions ending on June 15, and trial starting on August 31, 2020.

While reserving all rights under our subpoenas, we suggest focusing our discussions of subpoena compliance for now on (1) documents you have already produced in opioid litigation that could be made available in this litigation and (2) other key documents that we understand your agencies have.

1. **Prior productions from other opioid litigation.** We recognize that your agencies have produced documents in other opioid cases. For example, as counsel for McKesson, we are aware that your agencies produced a limited set of documents in 2018 in *State of West Virginia ex rel. Patrick Morrisey v. McKesson Corp.* (Civil Action No. 16-C-1) in the Circuit Court of Boone County. We invite your proposals as to if and how your agencies can produce such previously produced documents in this litigation.
2. **Additional targeted document requests.** Based on our discussion on March 4 and our own diligence, we seek the following limited set of documents and document categories on a priority basis:

A. West Virginia Department of Military Affairs and Public Safety ("DMAPS")

- DMAPS budget reports and documents.
- DMAPS organizational charts.
- Documents pertaining to grant funding to address opioid-related misconduct.
- Documents pertaining to the "Justice Reinvestment" initiative, including any research, data, or reports resulting from that initiative.
- Reports created by or pertaining to the Director of Correctional Substance Abuse Control.
- Documents pertaining to the West Virginia Intelligence Fusion Center, including any research, data, or reports from the Center.

B. West Virginia State Police ("WVSP")

- WVSP budget documents.
- WVSP organizational charts.
- Documents pertaining to grant funding to address opioid-related misconduct.



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- Reports or other documents discussing WVSP investigations or arrests regarding opioid-related misconduct in Cabell County or the City of Huntington.
- Documents describing the WVSP's use of ARCOS data or data from the West Virginia Controlled Substance Monitoring Program to investigate diversion of prescription opioids.
- Documents pertaining to the WVSP's participation in any drug task force.

C. West Virginia Division of Corrections and Rehabilitation ("DCR")

We understand that prior to 2018, the Division of Corrections, the Regional Jail and Correctional Facility Authority, and the Division of Juvenile Services were separate divisions of DMAPS, but are now organized under DCR. The requests below are for documents from before and after the reorganization.

- DCR budget documents.
- DCR organizational charts.
- Documents pertaining to grant funding to address opioid-related misconduct.
- The Director's Weekly Reports.
- Documents discussing opioid-related misconduct in the prisons and jails operated by, or by parolees of, DCR.
- Documents pertaining to inmate substance abuse programs and efforts to combat drug use in the prisons and jails operated by DCR, such as the Vivitrol Program, the Substance Abuse Diversion Program, and the Faith Based Substance Abuse Program.

D. West Virginia Division of Justice and Community Services ("DJCS")

- DJCS budget documents.
- DJCS organizational charts.
- Documents pertaining to grant funding to address opioid-related misconduct.
- Reports from the Office of Research and Strategic Planning or the Criminal Justice Statistical Analysis Center relating to opioids, and any underlying data.

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- Documents pertaining to the "Justice Reinvestment" initiative, including any research, data, or reports resulting from that initiative.

We hope that our identification of the documents and document categories above will help to move the discovery process along in an efficient and expeditious manner. We look forward to maintaining close communication with you during this process and are happy to discuss any issues as they arise. Please contact me directly at (304) 347-4231 if you have questions concerning these requests.

Sincerely,



Jeffrey M. Wakefield

JMW/sls
11206.50198